

MINUTES OF REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF LUFKIN, TEXAS, HELD ON THE 6TH DAY OF NOVEMBER, 1984, AT 7:30 P.M.

On the 6th day of November, 1984, the City Commission of the City of Lufkin, Texas, convened in regular meeting in the Council Chambers of City Hall with the following members thereof, to-wit:

Pitser H. Garrison	Mayor
Percy Simond, Jr.	Commissioner, Ward No. 1
Don Boyd	Commissioner, Ward No. 2
Lynn Malone	Commissioner, Ward No. 3
Pat Foley	Commissioner, Ward No. 4
Jack Gorden, Jr.	Commissioner, Ward No. 5
Louis Bronaugh	Commissioner, Ward NO. 6
Harvey Westerholm	City Manager
Brian Boudreaux	Assistant City Manager
Robert Flournoy	City Attorney
Ann Griffin	City Secretary
Lori Ann Mix	Assistant City Secretary
Nicholas Finan	City Planner
Ron Wesch	Public Works Director

being present when the following business was transacted.

1. Meeting opened with prayer by Reverend Jack W. Shoultz, Minister of First United Methodist Church, Lufkin.

2. Mayor welcomed visitors present.

3. APPROVAL OF MINUTES

Minutes of the regular meeting of October 16, 1984, were approved on a motion by Commissioner Louis Bronaugh and seconded by Commissioner Don Boyd. A unanimous affirmative vote was recorded.

4. ORDINANCE - APPROVED - SECOND READING - ZONE CHANGE - ANGELINA SAVINGS AND LOAN ASSOCIATION - RL TO LB, SU (OFFICE BUILDING)

Mayor Garrison stated that zone change request by Angelina Savings and Loan Association covering property located at the northeast corner of Tulane Drive and South Medford Drive from Residential Large to Local Business, Special Use (Office Building) had been approved on first reading at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that Ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

5. ORDINANCE - APPROVED - SECOND READING - UPDATED SERVICE CREDIT - INCREASE TO RETIREES - TEXAS MUNICIPAL RETIREMENT SYSTEM

Mayor Garrison stated that an Ordinance to keep Lufkin's Retirement System under the Texas Municipal Retirement System current had been approved on first reading at last meeting of this

Commission.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that Ordinance be approved on second and final reading as presented. A unanimous affirmative vote was recorded.

6. BONTON ADDITION - DRAINAGE PLAN APPROVED - FRANKLIN AND CORDELIA STREETS

Mayor Garrison stated that at last meeting of the City Commission City Attorney Robert Flournoy had been requested to speak with both Ed Wagoner and Mrs. Clark in regard to their participation in the Program to improve the drainage problem in the Bonton Addition. Mayor Garrison requested that City Attorney Robert Flournoy report the results of his meetings.

City Attorney Flournoy stated that he had visited on several occasions with both Mr. Wagoner and Mrs. Clark and had reached an agreement. City Attorney Flournoy stated that Mr. Wagoner had agreed to pay an additional \$150 for a total of \$1,250 and provide the City with an easement to enter his property for repairs to the drainage ditch. City Attorney Flournoy further stated that Mrs. Clark had agreed to pay \$600 which would bring the total participation to \$1,850 and he would recommend that the offers be accepted to move forward with rectifying the drainage problem.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that agreement as stated by City Attorney Flournoy be approved, the project begin, and the balance of the assessments to property owners not be changed.

In response to question by Commissioner Jack Gorden, Commissioner Louis Bronaugh stated that the persons involved in the drainage problem would be Mrs. Clark, Mr. Wagoner, Lee Schwartz, and Mr. Moore. Commissioner Bronaugh further stated that the figures that were presented to the City Commission on the original petition should not be changed in any way.

In response to question by Commissioner Lynn Malone, Mayor Garrison stated that because he understood there was to be comments before the motion was accepted, he would decline to accept the motion by Commissioners Bronaugh and Foley until comments were heard.

Commissioner Lynn Malone stated that he was concerned that acceptance of the agreement would set a precedent. City Attorney Flournoy stated that this was a unique situation because of a past agreement made with Mrs. Clark to construct a retaining wall, and access through Mr. Wagoner's property was required to fulfill that contract.

Commissioner Jack Gorden requested information from Commissioner Louis Bronaugh regarding why he felt the figures on the original petition might be changed. Commissioner Bronaugh stated that due to the agreement with Mrs. Clark, Mr. Wagoner's participation had been changed and the assessment of costs to the other property owners involved should not be changed. Commissioner Bronaugh stated that he wanted the record to indicate that the other property owners should pay their fair share.

Mayor Garrison stated that in view of the special circumstances surrounding the drainage problem in the Bonton Addition the City should move forward with correcting the situation, but the figures for the other property owners should remain as presented on the original petition. Mayor Garrison further stated that the special consideration given to Mr. Wagoner was because of the promise made to Mrs. Clark by the City of Lufkin to construct a retaining wall.

Commissioner Jack Gorden stated that he was not happy with Mrs. Clark having to pay any of the cost, but in order to get the drainage problem settled, he would approve the plan as presented.

Mayor Garrison stated that he had some objections to asking Mrs. Clark to pay because the City was under obligation to fulfill its promise and he would not want Mrs. Clark to feel pressed to pay the money. Mayor Garrison stated that if Mrs. Clark were willing to pay the \$600 he would approve the plan as presented.

Commissioner Jack Gorden stated that he was on Mrs. Clark's property today and because of the sewer line running through her property, her yard is continuing to wash away.

City Attorney Flournoy stated that Mrs. Clark had agreed to \$800 at one time and Mr. Wagoner felt her payment was part of his agreement with the City. City Attorney Flournoy stated that Mr. Wagoner had indicated to him that without Mrs. Clark's participation, he would not be willing to pay anything. City Attorney Flournoy stated that he felt this would be a good solution to the problem and that Mrs. Clark had suffered more than the other property owners but will be the main beneficiary of the work that will be done. City Attorney Flournoy further stated that installation of the culvert instead of the retaining wall would be a better solution and the \$600 to be contributed by Mrs. Clark is a very small investment.

Mayor Garrison stated that Mr. Wagoner is going far afield to say that the City should not make concessions to Mrs. Clark because her situation is entirely different from his.

In answer to question by Commissioner Pat Foley, City Manager Westerholm stated that money for construction of the culvert would be obtained from the Street Department budget.

Commissioner Louis Bronaugh stated that if the City Commission felt they could approve construction of the culvert without Mrs. Clark's participation, he would incorporate that into his motion.

City Attorney Flournoy stated that he was not sure about the agreement with Mr. Wagoner who had increased his participation by \$150 when Mrs. Clark agreed to pay the \$600, but he understood payment by Mrs. Clark was part of the agreement made by Mr. Wagoner.

Motion was made by Commissioner Louis Bronaugh that the City Commission accept the original figures presented by the City Attorney and due to the unique nature of the agreement with Mrs. Clark the assessments to the other property owners would remain the same.

Mayor Garrison stated that Mrs. Clark was present and requested that she present her views to the City Commission. Mrs. Clark stated that Mr. Wagoner had asked her to pay \$800 to which she had agreed to get the drainage problem corrected, but after talking with her children, she withdrew her agreement to participate. Mrs. Clark stated that City Attorney Flournoy had then contacted her and requested that she participate in the amount of \$1,000, and she had agreed to provide \$600. Mrs. Clark stated that in talking with City Attorney Flournoy he had indicated that there were no specifications contained in the agreement in regard to how the retaining wall would be constructed and had informed Mrs. Clark that it would be to her benefit to pay the \$600, and provide the City with an easement in good faith in order for the drainage problem to be corrected. Mrs. Clark further stated that she would pay the \$600 in order to get Mr. Wagoner to hush and while she would not pay willingly, she would pay to get the situation corrected.

Commissioner Louis Bronaugh stated that in light of Mrs. Clark's statement he would like to revise his motion. Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that the culvert be constructed in the drainage ditch in the Bonton Addition with all figures submitted on the original petition remaining firm, that Ed Wagoner's 1250 payment be accepted, and that Mrs. Clark not be required to pay the \$600. A unanimous affirmative vote was recorded.

Commissioner Lynn Malon stated that if Mr. Wagoner changes his mind because Mrs. Clark will not participate, the City Commission would once again return to face the issue.

7. CONSULTANT - APPROVED - SEWER PLANT PLAN REVIEW - DR. RALPH E. ROPER - HOWARD, NEEDLES, TAMMEN, AND BERGENDOFF

Mayor Garrison stated that at last meeting of City Commission, City Manager Westerholm was requested to search for some of the more prominent experts in the field of Environmental Engineering to submit proposals for conducting a "second opinion" on the proposed modifications to the Lufkin Sewer Plant. Mayor Garrison stated that the City Manager had presented two (2) proposals for consideration by the City Commission.

City Manager Westerholm stated that the proposal received from Metcalf and Eddy, Incorporated, did not contain a biographical sketch of the principal who would do the actual work and same was received this date and presented to the Commission tonight for their review. City Manager Westerholm stated that he had selected these two (2) proposals because he felt someone outside the State of Texas should be considered in order to prevent a conflict with the engineers that developed the sewer plant plan.

In response to question by Mayor Garrison, City Manager Westerholm stated that the cost of the Step II could be as high as \$10,000 if done Metcalf and Eddy, Incorporated, depending on what was encountered at that stage of the review. City Manager Westerholm stated that the firm of Howard, Needles, Tammen, and Bergendoff had indicated that the cost would be \$3,760 and if a presentation were made to the City Commission the cost could be \$4,980.

Mayor Garrison stated that he was impressed with Dr. Roper's credentials, but Mr. John Chalas, of Metcalf and Eddy, had been an Engineer for 30 years. Mayor Garrison stated that he was

pleased at the estimates of the cost involved.

In response to question by Commissioner Louis Bronaugh, City Manager Westerholm stated that if the consultants found that there was a major problem with the plans, the City Commission would then be presented with a judgement decision and if a change were necessary it would have to be submitted to the Texas Water Quality Board and the EPA for modifications in the plans. City Manager Westerholm further stated that the enforcement order placed on the City of Lufkin makes it mandatory that the City go forward with the plans for the new plant regardless of whether the grant is approved and the second opinion would indicate if the City were progressing in the right direction.

Mayor Garrison stated that he did not believe that there would be any criticism of Griffith Engineers and if the consultant found things that should be considered further there would be a discussion and an agreement would be reached. Mayor Garrison stated that his concern is that the City of Lufkin should go a step further with the approval of a new sewer plant to indicate to the people of the City of Lufkin that the City Commission is doing their best to obtain the plan that will work for this City.

In response to question by Commissioner Lynn Malone, City Manager Westerholm stated that Dr. Roper was recommended by Purdue University as the best in his field, but that he did not check with the references to see if his projects were still in compliance with requirements.

Commissioner Jack Gorden stated that the contract indicates that the City of Lufkin will pay twice what Howard, Needles, Tammen, and Bergendoff pay to retain Dr. Roper on their payroll which is standard. Commissioner Gorden stated that he was in favor of having Dr. Roper perform the evaluation.

Motion was made by Commissioner Jack Gorden and seconded by Commissioner Pat Foley that proposal of Howard, Needles, Tammen, and Bergendoff through Dr. Ralph Roper be accepted and City Manager Westerholm be authorized to begin the study. A unanimous affirmative vote was recorded.

In response to question by Commissioner Pat Foley, City Manager Westerholm stated that the consultant should be finished with his work within three (3) weeks and the Sewer Plant had been in compliance since last July and had maintained that compliance through the recent heavy rains.

In response to question by Commissioner Louis Bronaugh, City Manager Westerholm stated that the report of compliance that is sent to the Texas Water Quality Board could be submitted to the City Commissioners each month for their information.

**8. ORDINANCE - APPROVED - FIRST READING - ANNEXATION AND PERMANENT ZONING - HARMONY HILL BAPTIST CHURCH - RI**

Mayor Garrison stated that the Annexation and Permanent Zoning request by Harmony Hill Baptist Church covering property located north of Rice Drive and west of FM 58 directly behind and adjoining Harmony Hill Baptist Church property to be zoned Residential Large had been considered at public hearing at last meeting of this Commission. There was no opposition present.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Louis Bronaugh that annexation be approved on first reading as presented. A unanimous affirmative vote was recorded.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that zoning to Residential Large be approved on first reading as presented. A unanimous affirmative vote was recorded.

In response to question by Commissioner Lynn Malone, City Attorney Flournoy stated that a parsonage and the church building would be tax exempt, but if the church had land it was holding, that would be taxable.

9. ORDINANCE - APPROVED - FIRST READING - ZONE CHANGE - KENNY R. STOVALL - D TO D, SU (Daycare Center)

Mayor Garrison stated that zone change request by Kenny R. Stovall covering property located at 518 Bremond between Fifth and Sixth Streets from Duplex to Duplex, Special Use (Daycare Center) had been recommended to City Commission for approval by the Planning and Zoning Commission, but there was some question of whether the alley directly behind the property could be used in lieu of a circle drive. Mayor Garrison stated that Public Works Director Ron Wesch had stated that the alley would not be usable in all kinds of weather.

City Manager Westerholm stated that the alley is open but at the present time there is no surface on the road.

Mayor Garrison stated that the Planning and Zoning Commission had made the recommendation that the alley be used instead of a circle drive.

City Manager Westerholm stated that if the City Commission did not feel that the City should pave the alley for use by the daycare center, the Planning and Zoning Commission would like to reconsider the application for installation of same.

Mayor Garrison stated that he did not feel it was fair to the applicant to have their zone change request considered by the City Commission and then returned to the Planning and Zoning Commission.

Commissioner Percy Simond stated that the applicants have had a problem complying with regulations for the daycare center and \$1,000 or more had been spent to comply with instructions they have been given from different agencies. Commissioner Simond further stated that the alley is short and the owner of the property had agreed to pay a portion of the paving costs.

Mayor Garrison stated that the Planning and Zoning Commission should have determined if the alley were usable before the application was presented to the City Commission and the question of whether the alley would be used by the daycare center should be answered by the operator who must decide whether to take a chance on the parents being able to use the alley. Mayor Garrison stated that he was willing to approve the zone change as presented.

Commissioner Lynn Malone stated that the alleys in the downtown area are blacktopped for business to use for deliveries and the daycare center would be a business which would entitle it to this privilege. Public Works Director Ron Wesch stated that it is not the policy of the City of Lufkin to pave alleys in a residential area. City Attorney Flournoy stated that the alley would be used for the loading and unloading of children in the daycare center.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that zone change be approved on first reading as presented. A unanimous affirmative vote was recorded.

City Planner Nick Finan stated that Chairman Griffin of the Planning and Zoning Commission was unable to attend the City Commission meeting and had requested that the Planning and Zoning policy be presented to the City Commission in regard to daycare centers. City Planner Finan stated that the Planning and Zoning Commission requires a circle drive for daycare centers because of the safety of the children and to ease congestion on residential streets. City Planner Finan stated that the property is on a hill, but at the rear of the building, there is space for a circle drive and the Planning and Zoning Commission realizing that the unused alley was there stated that it could replace the need for a circle drive. City Planner Finan stated that the Planning and Zoning Commission did not feel that they had the authority to require the property owner to pave the alley and if the City Commission were not willing to pave the alley, the Planning and Zoning Commission would like to reconsider the application.

Mayor Garrison stated that the decision that the alley must be passable should have been made at the Planning and Zoning level.

City Planner Finan stated that it was approved by the Planning and Zoning Commission with the condition that the alley should be made passable in all types of weather because the parents would not use the alley in bad weather and would unload and load children on the public street.

Commissioner Percy Simond stated that all daycare centers in the City of Lufkin do not have circle drives.

10. ORDINANCE - APPROVED - FIRST READING - SCHOOL ZONE ESTABLISHED - WORD OF LIFE SCHOOL (ELLIS AVENUE)

Mayor Garrison stated that a letter had been received from Lloyd T. Dickens, Principal of the Word of Life Christian School, requesting that a school zone be established on Ellis Avenue for the Word of Life School. Mayor Garrison further stated that the School was not requesting a crosswalk, only a school zone to provide for 20 mile per hour speeds during the designated hours.

In response to question by Commissioner Lynn Malone, City Attorney Flournoy stated that the City would not accept any liability for the installation of the school zone at the Word of Life School.

Mayor Garrison stated that he would prefer that the speed limit be reduced to 25 miles per hour at this location permanently.

Commissioner Louis Bronaugh stated that the school zone sign would remind the driving public that they are in an area that is used by children.

City Attorney Flournoy stated that school zone would draw the attention of the public to the fact that there is a school in the area because some parents allow their children to exit the car on the opposite side of the street and crossover to the school property.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that school zone be approved for the Word of Life School on Ellis Avenue and that the speed limit at designated hours be 20 miles per hour. A unanimous affirmative vote was recorded.

11A. BID - APPROVED - CENTRAL PROCESSING UNIT - DATA PROCESSING DEPARTMENT - IBM

Mayor Garrison stated that bids had been invited for the purchase of a central processing unit for the Data Processing Department and requested that City Manager Westerholm provide Staff recommendations.

City Manager Westerholm stated that the central processing unit would increase the capacity of the Data Processing Department and it is difficult to obtain bids for a system when the City is presently using an IBM computer. City Manager Westerholm further stated that only one bid was received from IBM in the amount of \$47,855 which would be paid over a period of years. City Manager Westerholm stated that the budget had provided \$16,589 for the annual expense to the City and the actual annual expense would be \$14,528.44 the first year and \$11,534.00 each year there after for four (4) years.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Don Boyd that bid of IBM be approved as presented. A unanimous affirmative vote was recorded.

11B. BID - APPROVED - MODULAR TYPE AMBULANCE - VAN TYPE AMBULANCE - SOUTHWEST PROFESSIONAL VEHICLES

Mayor Garrison stated that bids had been invited for the purchase of a modular type and van type ambulance for use in the Fire Department and requested that City Manager Westerholm provide Staff recommendations.

City Manager Westerholm stated that invitations to bid had been sent to seven (7) manufacturers and only one (1) bid had been received from Southwest Professional Vehicles in the amount of \$38,500 for the modular type and \$28,880 for the van type ambulances.

Mr. Miller, a representative from the Southwest Professional Vehicles, was present and stated that his company presently had two (2) 1984 F350 chassis left that the City of Lufkin could purchase if they desired at a saving of \$500 less than the price quoted with the inclusion of the bucket type seats that were priced to the City at \$650. Mr. Miller further stated that there was no difference in the 1984 and 1985 chassis and the 1984 had



never been used.

Mayor Garrison stated that a vote should be taken on whether to approve the bid first and then amendments could be made to that bid.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that the bid of Southwest Professional Vehicles be approved as presented. A unanimous affirmative vote was recorded.

In response to question by the City Commission, Mr. Miller stated that the 1985 chassis were to be received by his company in December but the 1984 chassis, if chosen, would allow the modular type ambulance to be available in sixty days.

Commissioner Louis Bronaugh requested information in regard to whether purchase of 1984 would effect trade-in values at the end of a four (4) year period that ambulances are traditionally used by the City of Lufkin. Mr. Miller stated that when an ambulance is four (4) years old the year model of the chassis is not important, but the mileage is considered on the trade-in.

Motion was made by Commissioner Lynn Malone and seconded by Commissioner Don Boyd that the 1984 chassis be substituted for the 1985 chassis on the modular type F350 ambulance. The following vote was recorded: Aye: Commissioners Malone, Boyd, Bronaugh. Nay: Mayor Garrison, Commissioners Gorden, Foley, Simond. Mayor Garrison declared motion failed by a vote of four (4) to three (3).

11C. BID - APPROVED - LEAF AND TRASH BAGS - SANITATION DEPARTMENT - ADAMS INDUSTRIES

Mayor Garrison stated that bids had been invited for the purchase of the annual supply of leaf and trash bags to be used in the Sanitation Department and requested that City Manager Westerholm provide his Staff recommendations.

City Manager Westerholm stated that bids had been received and a different kind of packaging referred to as "flat pack" had been included in the specifications this year with the low bid for the roll bags being that of Adams Industries, Monroe, Louisiana, in the amount of .0466 for trash bags and .1048 for leaf bags and the low bidder for the "flat pack" box was Arrow Industries, Dallas, Texas, in the amount of .047 for trash bags and .0962 for leaf bags.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that the bid of Adams Industries for the roll bags be approved as presented. A unanimous affirmative vote was recorded.

12. AMENDMENT - APPROVED - SUBDIVISION ORDINANCE - PVC-SDR35 GRAVITY SEWER PIPE APPROVED EQUAL TO VITRIFIED CLAY PIPE

Mayor Garrison stated that information had been received by the City Commission in regard to the approval of the PVC-SDR35 gravity sewer pipe being accepted as an approved equal to the vitri-

fied clay pipe which would necessitate an amendment to the Subdivision Ordinance to allow use of this material for gravity flow lines.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that amendment to the Subdivision Ordinance be approved as presented on first reading. A unanimous affirmative vote was recorded.

**13. REMOVAL OF PARKING METERS - APPROVED - LUFKIN ASSOCIATION DOWNTOWN RECOMMENDATION**

Mayor Garrison stated that a letter had been received from the Lufkin Association Downtown recommending the removal of parking meters and proposing to stencil the curb at each location to designate the amount of free parking as a substitute for the colored bags now covering the parking meters. Mayor Garrison recognized Carol Moore, Mainstreet Coordinator, and invited her comments.

Mrs. Moore stated that the Lufkin Association Downtown felt that the removal of the parking meters would be in the best interest of the Mainstreet Project which would create a more aesthetic view of the improvements to the Downtown area. Mrs. Moore stated that the Lufkin Association Downtown was recommending that the curb be color coded to signify the amount of time in each parking space and that numbers be placed on the parking spaces to help the meter maids in their work.

In response to question by Commissioner Percy Simond, City Manager Westerholm stated that the Lufkin Association Downtown was proposing that the curb be color coded to indicate the amount of free parking time. Commissioner Percy Simond stated that people parking in the Downtown area will not look at the curb when exiting their vehicles and the markings should be at eye level.

Commissioner Don Boyd suggested that perhaps two (2) signs per block, one on each corner, could be erected to indicate the amount of free parking time as well as marking the curb.

Commissioner Pat Foley stated that the Lufkin Association Downtown could work out the particulars on how the curb will be marked after removing the meters.

Mayor Garrison stated that a plan should be developed then presented to the City Commission at a later date, and he would be interested in receiving information on how many parking tickets are written in the Downtown area.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that meters be removed from the Downtown area and City Manager Westerholm and Lufkin Association Downtown be authorized to perfect the details of a suitable plan to designate the different parking areas. The following vote was recorded: Aye: Mayor Garrison, Commissioners Bronaugh, Boyd, Simond, Foley, Gorden. Nay: Commissioner Malone. Mayor declared motion approved by a vote of six (6) to one (1).

**14. LUFKIN VISITOR AND CONVENTION BUREAU BUDGET - AMENDED -**

CITY BOARD OF DEVELOPMENT RECOMMENDATION

Mayor Garrison stated that there is available in the Lufkin Visitor and Convention Bureau's budget unexpended funds from the 1982-1983 and 1983-1984 budgets in the amount of \$14,605 and the City Board of Development has requested that these funds be made available for the 1984-1985 budget.

Mayor Garrison recognized Curtis Montgomery, Manager of the Lufkin Visitor and Convention Bureau, who stated that he was requesting that \$9,000 be made available for use in this fiscal year which was not used in the last fiscal year due to the resignation of the Manager of the Visitor and Convention Bureau and the Executive Vice-President of the Chamber of Commerce. Mr. Montgomery stated that he would recommend that \$5,000 be returned to the Civic Center budget.

City Manager Westerholm stated that the \$5,000 was unexpended funds from the 1982-1983 fiscal year but this money must be used for tourism.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Jack Gorden that Visitor and Convention Bureau Budget be amended as proposed by the City Board of Development. A unanimous affirmative vote was recorded.

15. INVOICES - APPROVED - MAURY STIVER - STIVER ENGINEERING

Mayor Garrison stated that two (2) invoices had been received from Stiver Engineering and the City Commission should consider authorization for payment. Mayor Garrison further stated that the first invoice was for \$885 and the second for \$392.52.

Commissioner Pat Foley stated that a report of the cumulative amount that had been paid to Maury Stiver should be presented to the Commission.

City Manager Westerholm that Mr. Stiver had completed most of the work with the exception of two return activated sludge pumps to be installed by February.

Commissioner Percy Simond stated that he would like to have an itemized total of the telephone expense indicated on Mr. Stiver's invoice.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that invoices in the total amount of \$1,277.52 be approved for payment. A unanimous affirmative vote was recorded.

16. GRIFFITH ENGINEERS - INVOICE - APPROVED FOR PAYMENT

Mayor Garrison stated that an invoice had also been received from Everett Griffith and Associates for basic engineering services related to the revised cost and eligibility of the EPA sewer project in the amount of \$7,436.25.

Motion was made by Commissioner Don Boyd and seconded by Commissioner Pat Foley that invoice in the amount of \$7,436.25 be approved for payment. A unanimous affirmative vote was recorded.

**17. TEXAS RENTAL REHABILITATION PROGRAM - DETCOG - PRELIMINARY PLANS - CITY'S PARTICIPATION - TABLED**

Mayor Garrison stated that a letter concerning possible participation in the Texas Rental Rehabilitation Program had been submitted by DETCOG for consideration by the City Commission. Mayor Garrison further stated that if the City of Lufkin decided to participate in the Program, the City could contract with DETCOG to administer the Program in the City of Lufkin.

Mayor Garrison recognized Mark Brown, Director of Human Services for DETCOG, who stated that the Texas Department of Community Affairs has \$2,000,000 available for rehabilitation programs across the State of Texas and that the cities of Lufkin and Nacogdoches were the only cities in East Texas qualified under the program for funds of \$100,000 each. Mr. Brown stated that if the City of Lufkin were funded the money would be used to rehabilitate houses to meet the Housing Quality Standards. Mr. Brown stated that it would be necessary for the landlords of the rental property to match the amount of grant funds received, and keep his property under the Program for one (1) year without an increase in the rent over a five (5) year period. Mr. Brown stated that approximately \$100,000 could be earmarked for the City of Lufkin which would rehabilitate approximately 20 units in the low income areas and would provide rental assistance for low income families. Mr. Brown stated that the negative part of the program is that there is no money available for the administration of the Program and that a feasibility study, a work write-up, and actual inspections of the rental units would be required before the Program began. Mr. Brown stated that there would be a maximum of \$5,000 needed for beginning the Program, but because the City of Lufkin has their own inspectors and Staff that could perform the necessary functions the cost would be considerably less. Mr. Brown stated that the application for the program would have to be submitted by December 17, 1984, and that the DETCOG office could prepare a document indicating the City's obligations if they participated in the program. Mr. Brown stated that his office could proceed with the preliminary study at no cost to the City of Lufkin for this continuing program.

Motion was made by Commissioner Pat Foley and seconded by Commissioner Louis Bronaugh that DETCOG be authorized to proceed with the preliminary plans for participation in the Program. A unanimous affirmative vote was recorded.

In response to question by Commissioner Louis Bronaugh, Mr. Brown stated the estimated \$100,000 of funds would allow \$200,000 of repairs to rental property that is feasible to renovate.

**18. EXECUTIVE SESSION - TABLED**

Mayor Garrison stated that he would suggest that the Executive Session be set for consideration as the first item of business on the next agenda and that the meeting for November 20, 1984, begin at 4:30 p.m., with the Executive Session and the regular open meeting would begin at approximately 5:15 p.m.

Motion was made by Commissioner Louis Bronaugh and seconded by Commissioner Pat Foley that November 20, 1984, meeting of the City Commission begin at 4:30 p.m., with the Executive Session and regular open meeting of City Commission to begin at 5:15 p.m. A unanimous affirmative vote was recorded.

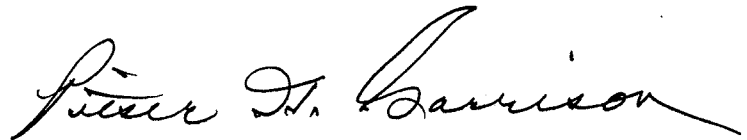
19. LIST OF CITY BOARDS, DISCUSSED - WATER STUDY, DISCUSSED

Commissioner Louis Bronaugh stated that he had asked the City Secretary to provide a list of the various City Boards and Commissions which had been provided for the City Commission's consideration.

Commissioner Pat Foley stated that he would like to have additional entities in the City of Lufkin contacted about joining with the City of Lufkin on the proposed water study and the distribution system evaluation should be given more consideration than proposed.

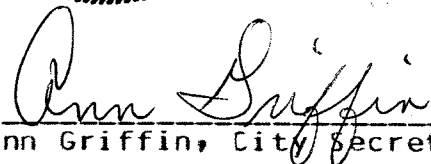
City Manager Westerholm stated that he would visit with the company performing the water study and gain information on how much time would be spent on the distribution system.

20. There being no further business for consideration, meeting adjourned at 9:50 P.M.



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Pitser H. Garrison, Mayor



  
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Ann Griffin, City Secretary